

UNITED STATES DISTRICT COURT

for the

EASTERN District of CALIFORNIA

United States of America

v.

VIN WHEALEN GAINES, JR.

Date of Original Judgment: 05/31/2022

Date of Previous Amended Judgment: N/A

(Use Date of Last Amended Judgment if Any)

Case No: 2:20-cr-00208-JAM-2

USM No: 79246-097

David Porter, Assistant Federal Defender

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in 60 months on Count 1 and 77 months on Count 6, to be served concurrently, for a total term of imprisonment

the last judgment issued) of 77 months is reduced to 63 months on Count 1 and 63 months on Count 6, to be served concurrently, for a total term of imprisonment of 63 months.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 06/03/2022 shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/23/2024

/s/ John A. Mendez

Judge's signature

Effective Date: 02/01/2024

John A. Mendez, Senior United States District Judge